

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 224, Page 1, in the Title, Lines 3 and 4, by  
2 deleting all of said lines and inserting in lieu thereof the following: "to elementary and secondary  
3 education, with an emergency clause for a certain section."; and  
4

5 Further amend said bill, Page 4, Section 160.545, Line 118, by inserting immediately after all of said  
6 line the following:  
7

8 "160.671. 1. A school board member of any urban school district located in a county of the  
9 first classification with more than eighty-three thousand but fewer than ninety-two thousand  
10 inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one  
11 thousand inhabitants as the county seat may be removed by the voters in a recall election.  
12 Proceedings may be commenced for the recall of any such member by the filing of a notice of  
13 intention to circulate a recall petition under this section.

14 2. The notice of intention to circulate a recall petition shall be served personally, or by  
15 certified mail, on the board member sought to be recalled. A copy thereof shall be filed, along with  
16 an affidavit of the time and manner of service, with the election authority, as defined in chapter 115  
17 and with the secretary of the school board. A separate notice shall be filed for each board member  
18 sought to be recalled and shall contain all of the following:

19 (1) The name of the board member sought to be recalled;

20 (2) A statement, not exceeding two hundred words in length, of the reasons for the proposed  
21 recall; and

22 (3) The names and business or residential addresses of at least one but not more than five  
23 proponents of the recall who are registered voters in the district.

24 3. Within seven days after the filing of the notice of intention, the board member may file  
25 with the election authority and the secretary of the school board a statement, not exceeding two  
26 hundred words in length, which may include an answer to the statement of the proponents. If a  
27 statement is filed, the board member shall also serve a copy of it, personally or by certified mail, on  
28 one of the proponents named in the notice of intention. The statement is intended solely to be used  
29 for the information of the voters. No insufficiency in form or substance of such statements shall  
30 affect the validity of the election proceedings.

31 4. Before any signature may be affixed to a recall petition, the petition is required to bear all  
32 of the following:

33 (1) A request that an election be called to elect a successor to the board member at the next  
34 school board election;

35 (2) A copy of the notice of intention, including a general statement of the grounds for which  
36 removal is sought;

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1           (3) The statement of the board member sought to be recalled, if any exists. If the board  
2 member has not filed a statement, the petition shall so state; and

3           (4) A place for each signer to affix his or her signature, printed name, and residential  
4 address, including any address in a city, town, village, or unincorporated community.

5           5. Each section of the petition, when submitted to the election authority, shall have attached  
6 to it an affidavit signed by the person circulating such section of the petition, setting forth all of the  
7 following:

8           (1) The printed name of the affiant;

9           (2) The residential address of the affiant;

10           (3) That the affiant circulated that section of the petition and saw the appended signatures be  
11 written;

12           (4) That according to the best information and belief of the affiant, each signature is the  
13 genuine signature of the person whose name it purports to be;

14           (5) That the affiant is a registered voter in the school district; and

15           (6) The dates between which all of the signatures to the petition were obtained.

16           6. A recall petition shall be filed with the election authority and secretary of the school board  
17 not more than one hundred eighty days after the filing of the notice of intention.

18           7. The qualified signatures of at least seven hundred fifty registered voters shall be required  
19 for the submission of a petition.

20           8. Within thirty days after the date of filing the petition, the election authority shall examine  
21 and ascertain whether the petition is signed by the requisite number of voters. The election authority  
22 shall file with the petition a certificate showing the results of the examination. The election authority  
23 shall give the proponents a copy of the certificate upon their request.

24           9. If the election authority certifies the petition to be insufficient, it may be supplemented  
25 within ten days of the date of certification by filing additional petition sections containing all of the  
26 information required by this section. Within ten days after the supplemental copies are filed, the  
27 election authority shall file with them a certificate stating whether or not the petition as  
28 supplemented is sufficient.

29           10. If the election authority finds the signatures on the petition, together with the  
30 supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to the  
31 sufficiency of the petition to the school board prior to its next meeting. The certificate shall contain  
32 the following:

33           (1) The name of the member whose recall is sought;

34           (2) A copy of the petition with at least seven hundred fifty signatures;

35           (3) The total number of signatures on the petition; and

36           (4) The number of valid signatures on the petition.

37           11. Following the school board's receipt of the certificate, the election authority shall order  
38 an election to be held on the next election day as specified in section 115.123 but the election shall be  
39 held not less than forty-five days from the date the school board receives the petition.

40           12. At any time prior to fifty days before the election, the member sought to be recalled may  
41 offer his or her resignation. If his or her resignation is offered, the recall question shall be removed  
42 from the ballot and the office declared vacant. At such time, the vacancy shall be filled as provided  
43 in section 162.471, except that the member who resigned shall not fill the vacancy.

44           13. If a majority of the voters vote in favor of retaining the member, the member shall  
45 remain in office and shall not be subject to another recall election during his or her term of office. If  
46 a majority of voters vote to remove the member, his or her successor shall be chosen by the county  
47 commission of any county of the first classification with more than eighty-three thousand but fewer  
48 than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand

1 but fewer than ninety-one thousand inhabitants as the county seat as provided in section 162.471.

2 14. The provisions of this section shall expire on December 31, 2021.

3 162.471. 1. The government and control of an urban school district is vested in a board of  
4 seven directors. Each director shall be a voter of the district who has resided within this state for one  
5 year next preceding his election or appointment and who is at least twenty-four years of age. All  
6 directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for  
7 six years and until their successors are duly elected and qualified. All vacancies occurring in the  
8 board, except as provided in section 162.492 and in subsection 2 of this section, shall be filled by  
9 appointment by the board as soon as practicable, and the person appointed shall hold his office until  
10 the next school board election, when his successor shall be elected for the remainder of the unexpired  
11 term. The power of the board to perform any official duty during the existence of a vacancy  
12 continues unimpaired thereby.

13 2. All vacancies occurring in the school board of any urban school district located in a  
14 county of the first classification with more than eighty-three thousand but fewer than ninety-two  
15 thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than  
16 ninety-one thousand inhabitants as the county seat shall be filled by appointment of the county  
17 commission of a county of the first classification with more than eighty-three thousand but fewer  
18 than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand  
19 but fewer than ninety-one thousand inhabitants as the county seat. If the vacancy occurred because  
20 of a recall under section 160.671, the member who was recalled shall not fill the vacancy. The  
21 person appointed by the county commission shall hold office until the next school board election,  
22 when his or her successor shall be elected for the remainder of the unexpired term.

23 \*162.481. 1. Except as otherwise provided in this section and in section 162.492, all  
24 elections of school directors in urban school districts shall be held biennially at the same times and  
25 places as municipal elections.

26 2. [In any urban district which includes all or the major part of a city which first obtained a  
27 population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial  
28 census, elections of directors shall be held on municipal election days of even-numbered years. The  
29 directors of the prior district shall continue as directors of the urban district until their successors are  
30 elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two  
31 for terms of two years to succeed the two directors of the prior district who were elected in 1960 and  
32 two for terms of six years to succeed the two directors of the prior district who were elected in 1961.  
33 The successors of these directors shall be elected for terms of six years. On the first Tuesday in  
34 April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to  
35 terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six  
36 years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

37 3.] Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a  
38 seven-director district becomes an urban school district, the directors of the prior seven-director  
39 district shall continue as directors of the urban school district until the expiration of the terms for  
40 which they were elected and until their successors are elected as provided in this subsection. The  
41 first biennial school election for directors shall be held in the urban school district at the time  
42 provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the  
43 directors of the prior district which are first to expire, and directors shall be elected to succeed the  
44 directors of the prior district whose terms have expired. If the terms of two directors only have  
45 expired, the directors elected at the first biennial school election in the urban school district shall be  
46 elected for terms of six years. If the terms of four directors have expired, two directors shall be  
47 elected for terms of six years and two shall be elected for terms of four years. At the next succeeding  
48 biennial election held in the urban school district, successors for the remaining directors of the prior

1 seven-director district shall be elected. If only two directors are to be elected they shall be elected  
 2 for terms of six years each. If four directors are to be elected, two shall be elected for terms of six  
 3 years and two shall be elected for terms of two years. After seven directors of the urban school  
 4 district have been elected under this subsection, their successors shall be elected for terms of six  
 5 years.

6 [4.] 3. In any school district in [any city with a population of one hundred thousand or more  
 7 inhabitants which is located within a county of the first classification that adjoins no other county of  
 8 the first classification, or any school district which becomes an urban school district by reason of the  
 9 2000 federal decennial census] which a majority of the district is located in any home rule city with  
 10 more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants,  
 11 elections shall be held annually at the same times and places as general municipal elections for all  
 12 years where one or more terms expire, and the terms shall be for three years and until their  
 13 successors are duly elected and qualified for all directors elected on and after August 28, 1998.

14 4. For any school district which becomes an urban school district by reason of the 2000  
 15 federal decennial census, elections shall be held annually at the same times and places as general  
 16 municipal elections for all years where one or more terms expire, and the terms shall be for three  
 17 years and until their successors are duly elected and qualified for all directors elected on and after  
 18 August 28, 2001.

19 5. In any school district in any county with a charter form of government and with more than  
 20 three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an  
 21 urban school district by reason of the 2010 federal decennial census, elections shall be held annually  
 22 at the same times and places as general municipal elections for all years where one or more terms  
 23 expire, and the terms shall be for three years and until their successors are duly elected and qualified  
 24 for all directors elected on and after April 2, 2012.

25 6. In any urban school district in a county of the first classification with more than  
 26 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with  
 27 more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat,  
 28 elections shall be held annually at the same times and places as general municipal elections for all  
 29 years where one or more terms expire, and upon expiration of any term after August 28, 2015, the  
 30 term of office shall be for three years and until their successors are duly elected and qualified.

31 \*162.491. 1. Directors for urban school districts, other than those districts containing the  
 32 greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition  
 33 to be filed with the secretary of the board and signed by a number of voters in the district equal to ten  
 34 percent of the total number of votes cast for the director receiving the highest number of votes cast at  
 35 the next preceding biennial election, except as provided in subsection 4 of this section.

36 2. This section shall not be construed as providing the sole method of nominating candidates  
 37 for the office of school director in urban districts which do not contain the greater part of a city of  
 38 over three hundred thousand inhabitants.

39 3. A director for any urban school district containing a city of greater than one hundred thirty  
 40 thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an  
 41 independent candidate by filing with the secretary of the board a petition signed by five hundred  
 42 registered voters of such school district.

43 4. In any urban school district located in a county of the first classification with more than  
 44 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with  
 45 more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a  
 46 candidate for director shall file a declaration of candidacy with the secretary of the board and shall  
 47 not be required to submit a petition.

48 [162.481. 1. Except as otherwise provided in this section and in section

1 162.492, all elections of school directors in urban school districts shall be held  
2 biennially at the same times and places as municipal elections.

3 2. [In any urban district which includes all or the major part of a city which  
4 first obtained a population of more than seventy-five thousand inhabitants by reason  
5 of the 1960 federal decennial census, elections of directors shall be held on municipal  
6 election days of even-numbered years. The directors of the prior district shall  
7 continue as directors of the urban district until their successors are elected as herein  
8 provided. On the first Tuesday in April, 1964, four directors shall be elected, two for  
9 terms of two years to succeed the two directors of the prior district who were elected  
10 in 1960 and two for terms of six years to succeed the two directors of the prior district  
11 who were elected in 1961. The successors of these directors shall be elected for terms  
12 of six years. On the first Tuesday in April, 1968, two directors shall be elected for  
13 terms to commence on November 5, 1968, and to terminate on the first Tuesday in  
14 April, 1974, when their successors shall be elected for terms of six years. No director  
15 shall serve more than two consecutive six-year terms after October 13, 1963.

16 3.] Except as otherwise provided in subsections 3, 4, and 5 of this section,  
17 hereafter when a seven-director district becomes an urban school district, the directors  
18 of the prior seven-director district shall continue as directors of the urban school  
19 district until the expiration of the terms for which they were elected and until their  
20 successors are elected as provided in this subsection. The first biennial school  
21 election for directors shall be held in the urban school district at the time provided in  
22 subsection 1 which is on the date of or subsequent to the expiration of the terms of the  
23 directors of the prior district which are first to expire, and directors shall be elected to  
24 succeed the directors of the prior district whose terms have expired. If the terms of  
25 two directors only have expired, the directors elected at the first biennial school  
26 election in the urban school district shall be elected for terms of six years. If the  
27 terms of four directors have expired, two directors shall be elected for terms of six  
28 years and two shall be elected for terms of four years. At the next succeeding biennial  
29 election held in the urban district, successors for the remaining directors of the prior  
30 seven-director district shall be elected. If only two directors are to be elected they  
31 shall be elected for terms of six years each. If four directors are to be elected, two  
32 shall be elected for terms of six years and two shall be elected for terms of two years.  
33 After seven directors of the urban district have been elected under this subsection,  
34 their successors shall be elected for terms of six years.

35 [4.] 3. In any school district in [any city with a population of one hundred  
36 thousand or more inhabitants which is located within a county of the first  
37 classification that adjoins no other county of the first classification, or any school  
38 district which becomes an urban school district by reason of the 2000 federal  
39 decennial census] which a majority of the district is located in any home rule city with  
40 more than one hundred fifty-five thousand but fewer than two hundred thousand  
41 inhabitants, elections shall be held annually at the same times and places as general  
42 municipal elections for all years where one or more terms expire, and the terms shall  
43 be for three years and until their successors are duly elected and qualified for all  
44 directors elected on and after August 28, 1998.

45 4. For any school district which becomes an urban school district by reason of  
46 the 2000 federal decennial census, elections shall be held annually at the same times  
47 and places as general municipal elections for all years where one or more terms  
48 expire, and the terms shall be for three years and until their successors are duly

1 elected and qualified for all directors elected on and after August 28, 2001.

2 5. In any school district in any county with a charter form of government and  
3 with more than three hundred thousand but fewer than four hundred fifty thousand  
4 inhabitants which becomes an urban school district by reason of the 2010 federal  
5 decennial census, elections shall be held annually at the same times and places as  
6 general municipal elections for all years where one or more terms expire, and the  
7 terms shall be for three years and until their successors are duly elected and qualified  
8 for all directors elected on and after April 2, 2012.

9 6. In any urban school district in a county of the first classification with more  
10 than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a  
11 home rule city with more than seventy-six thousand but fewer than ninety-one  
12 thousand inhabitants as the county seat, elections shall be held annually at the same  
13 times and places as general municipal elections for all years where one or more terms  
14 expire, and upon expiration of any term after August 28, 2015, the term of office shall  
15 be for three years and until their successors are duly elected and qualified.]

16 [162.491. 1. Directors for urban school districts, other than those districts  
17 containing the greater part of a city of over one hundred thirty thousand inhabitants,  
18 may be nominated by petition to be filed with the secretary of the board and signed by  
19 a number of voters in the district equal to ten percent of the total number of votes cast  
20 for the director receiving the highest number of votes cast at the next preceding  
21 biennial election, except as provided in subsection 4 of this section.

22 2. This section shall not be construed as providing the sole method of  
23 nominating candidates for the office of school director in urban districts which do not  
24 contain the greater part of a city of over three hundred thousand inhabitants.

25 3. A director for any urban school district containing a city of greater than  
26 one hundred thirty thousand inhabitants and less than three hundred thousand  
27 inhabitants may be nominated as an independent candidate by filing with the secretary  
28 of the board a petition signed by five hundred registered voters of such school district.

29 4. In any urban school district located in a home rule city with more than  
30 seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate  
31 for director shall file a declaration of candidacy with the secretary of the board and  
32 shall not be required to submit a petition.]; and

33  
34 Further amend said bill and page, Section B, Line 3, by inserting immediately after the phrase "fall  
35 semester," the following: "section 160.545 of"; and

36  
37 Further amend said bill and page, Section B, Line 6, by inserting after the word "and" in the first  
38 instance the following: "section 160.545 of"; and

39  
40 Further amend said bill by amending the title, enacting clause, and intersectional references  
41 accordingly.